REMARKS/ARGUMENTS

Claims 1-3, 5, 8-11, 16 and 17 remain in the application for consideration. Claims 1, 9 and 17 are amended herein to more clearly define the applicant's invention over the newly cited prior art, particularly the newly cited Moore patent.

As defined in amended Claims 1 and 17, in the applicant's apparatus the plurality of memory locations, each of which stores unique distance-measurement data, are each respectively electrically connected to an associated one of the plurality of spaced, insulated contacts located along the path of movement of the movable member. In this arrangement, only the contact that is located at the position of the movable member, and thus uniquely makes electrical contact with the movable member, applies a control signal to the memory location to which it is uniquely connected. This control signal is effective to transfer stored distance-measurement data stored only in the memory location to which the control signal is thus applied to an output display device.

Although Moore is admittedly more relevant to the applicant's invention than the previously cited prior art, the two independent claims 1 and 17, particularly as herein amended, are believed to define the applicant's invention in a manner that clearly distinguishes it over the caliper disclosed by Moore. It is submitted that Moore teaches a different approach to position measurement that actually teaches away from the applicant's claimed distance-measurement apparatus and method.

In the Moore caliper, particularly as described in Figs. 5B-5D and at col. 8, lines 9-25 and col. 9, lines 43-62, the movable member or wiper 57 rotates to an angular position along a potentiometer 55 to provide an analog voltage that is proportional to the angle between the caliper arms 12 and 14. That analog voltage is converted to a corresponding digital signal in A/D converter 58, which, in turn, supplies a digital address signal to a look-up table in logic 62. The addressed, stored angular position data in the look-up table is applied to an output device 64.

Moore, however, differs from the applicant's claimed apparatus in several significant aspects. First, Moore does not include the claimed "plurality of spaced contacts insulated from one another". Instead, as noted, Moore employs a potentiometer in which all the resistive elements are connected electrically in series to provide a variable resistance depending on the relative angular position of the wiper.

In addition, and perhaps of even greater significance, is the fact that Moore does not teach or remotely suggest connecting a plurality of insulated contacts in a one-to-one relationship with the corresponding memory-storing locations in a memory so that a

control signal is applied only from the contact then engaged by the movable member to its associated memory location, thereby to transfer the distance-measurement data stored in that memory location to an output device. In fact, it would not be feasible to connect the Moore potentiometer to the logic circuit in the claimed manner because of the lack of electrical insulation between the segments of the potentiometer that are sequentially engaged by the wiper as it moves along the path of the potentiometer.

Applicant submits that these fundamental differences between his claimed apparatus and method and that disclosed by Moore warrant a withdrawal of any finding of anticipation by, or obviousness over, Moore considered either alone or in combination with any other of the prior art cited previously or in the most recent Office Action. It is accordingly submitted that the claims as herein presented are allowable over this prior art, and an indication to this effect is respectfully solicited.

Respectfully submitted

Date: April 5, 2007

Marvin N. Gordon
Attorney for Applicant
Reg. No. 23,094
277 West End Avenue
New York, NY 10023
Tel. No. (212) 362-2702
Fax No. (212) 362-9384
e-mail mngpatlaw@aol. com

CERTIFICATE OF MAILING

This is to certify that the foregoing Response to Office Action was sent to the Commissioner for Patents, P.O. Box 1450, Arlington, Virginia 22313-1450 by first-class overnight Mail, postage prepaid on April 5, 2007.

Marvin N. Gordon